THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14896 of 2007

Dated: 16-07-2007

Between:

Telugu Chandra Sekhar and others.

..... PETITIONERS

AND

The District Collector, Kurnoor, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14896 of 2007

ORDER:

The petitioners' father, late Telugu Venkata Narayana, allegedly purchased land admeasuring Ac.0.15 out of Acs.30.60 in survey No.698/A situated at Bannur Village, Jupadu Bunglow Mandal, Kurnool District. After death of their father, the petitioners succeeded to the property. They filed instant writ petition alleging that on 15.06.2007, the Mandal Surveyor, on instructions of third respondent, came to their land and surveyed the same without notice with a view to allot the land for construction of Shadi khana (Marriage Hall) and that in spite of the representation made by them on 18.06.2007, there is apprehension of coercive dispossession. In this writ petition, they seek a direction to the respondents not to dispossess them.

After hearing the learned counsel for the petitioners, this Court is convinced that the writ petition is filed on mere apprehension. Simply because the Mandal Surveyor surveyed the land, it does not reveal that the petitioners would be dispossessed without due process of law, if the land in fact is a private land which was purchased by the father of the petitioners. If the land is recorded as Wakf land or Poramboke land, nothing prevents the respondents to utilize the same for construction of Shadi Khana. Of course, if the petitioners are found to be in possession of the land, the respondents have to follow due process of law.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

16th July, 2007

ghn